

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PROKOP LABS, LLC, a Washington  
limited liability company,

Plaintiff,

v.

STAPLES, INC., a Delaware corporation;  
STAPLES THE OFFICE SUPERSTORE  
LLC, a Delaware limited liability  
company; BELKIN, INC., a Delaware  
corporation (formerly BELKIN  
LOGISTICS, INC.), S.P. RICHARDS CO.,  
a Georgia corporation; and VELO  
ENTERPRISE CO., LTD., a Taiwan  
corporation,

Defendants.

No. 2:07-cv-1094-MJP

DECLARATION OF KEVIN A. ZECK IN  
SUPPORT OF CR 37 SUBMISSION

I, Kevin A. Zeck, declare as follows:

1. I am an attorney with the law firm of Perkins Coie LLP and represent the Plaintiff Prokop Labs, LLC in this action. My duties and responsibilities include reviewing and drafting pleadings, communicating with opposing counsel, conducting discovery, and handling discovery issues. I make this declaration based on my knowledge and experience in this matter.

2. Attached as Exhibit A is a true and correct copy of an email from Kevin Zeck to Doug Weinstein (counsel for Velo Enterprise Co. Ltd.), dated July 20, 2012, which sets forth an

DECLARATION OF KEVIN A. ZECK IN SUPPORT OF CR 37  
SUBMISSION  
(No. 2:07-cv-1094-MJP) – 1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1 agreement between Prokop Labs, LLC and Velo Enterprise Co. Ltd. for resolving various  
2 discovery disputes related to Prokop Labs' first set of discovery requests.  
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4 3. Attached as Exhibit B is a true and correct copy of a letter from Kevin Zeck to  
5 Ben Bailey (counsel for Velo Enterprise Co. Ltd.), dated August 8, 2012, concerning Velo's  
6 inadequate responses to Prokop Labs' Interrogatory No. 1 and Request for Production No. 18.  
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8 4. Attached as Exhibit C is a true and correct copy of a letter from Ben Bailey to  
9 Kevin Zeck, dated August 9, 2012, disputing the contentions contained in Kevin Zeck's August  
10 8th letter to Ben Bailey.  
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12 5. Attached as Exhibit D is a true and correct copy of a letter from Kevin Zeck to  
13 Ben Bailey, dated August 1, 2012, concerning discrepancies between: (a) Velo's identification of  
14 Gel Wrist Rest Products in response to Prokop Labs' Interrogatory No. 1; and (b) various  
15 pleadings filed in U.S. International Trade Commission Investigation No. 337-TA-456 ("Certain  
16 Gel-Filled Wrist Rests and Products Containing the Same"). The US ITC pleadings were from  
17 mid-to-late 2001 and identified roughly fifty products Velo had not yet identified in this  
18 litigation. *See infra* Exhibits E and F.  
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20 6. Attached as Exhibit E is a true and correct copy of excerpts from U.S.  
21 International Trade Commission Investigation No. 337-TA-456 ("Certain Gel-Filled Wrist Rests  
22 and Products Containing the Same") Post-Trial Exhibit CX-264, titled Response of Respondent  
23 ACCO Brands, Inc. to Complainants' First Set of Interrogatories to ACCO Brands, Inc. (Nos. 1-  
24 16), which identifies various gel wrist rest products imported by Velo Enterprise Co. Ltd. into  
25 the United States. I obtained this copy from the U.S. ITC's Electronic Document Information  
26 System.  
27

28 7. Attached as Exhibit F is a true and correct copy of excerpts from U.S.  
29 International Trade Commission Investigation No. 337-TA-456 ("Certain Gel-Filled Wrist Rests  
30 and Products Containing the Same") Post-Trial Exhibit RX-262, titled 3M's Answers to  
31 Commission Investigative Staff's Second Set of Interrogatories to Complainants (31-40), which  
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1 identifies various gel wrist rest products imported by Velo Enterprise Co. Ltd. into the United  
2 States. I obtained this copy from the U.S. ITC's Electronic Document Information System.

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4 8. Attached as Exhibit G is a true and correct copy of excerpts from Prokop Labs,  
5 LLC's Interrogatories Nos. 1-7 to Velo Enterprise Co. Ltd., served on May 21, 2012.  
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8 9. Attached as Exhibit H is a true and correct copy of excerpts from Velo Enterprise  
9 Co. Ltd.'s Objections and Responses to Prokop Labs' Interrogatories Nos. 1-7, served on June  
10 25, 2012.  
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13 10. Attached as Exhibit I is a true and correct copy of excerpts from Prokop Labs,  
14 LLC's Requests for Production Nos. 1-41 to Velo Enterprise Co., Ltd., served on May 25, 2012.  
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17 11. Attached as Exhibit J is a true and correct copy of excerpts from Velo Enterprise  
18 Co. Ltd.'s Objections and Responses to Prokop Labs' Requests for Production Nos. 1-41, served  
19 on June 28, 2012.  
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22 12. Attached as Exhibit S is a true and correct copy of a letter from Kevin A. Zeck to  
23 Benjamin Bailey, dated August 16, 2012, outlining the deficiencies in Velo Enterprise Co. Ltd.'s  
24 production of documents, which production was received by Prokop Labs, LLC on August 14,  
25 2012.  
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28 13. Attached as Exhibit T is a true and correct copy of Velo Enterprise Co. Ltd.'s  
29 First Supplemental Objections and Responses to Prokop Labs, LLC's Interrogatories Nos. 1-7,  
30 served on August 10, 2012.  
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33 14. Attached as Exhibit U is a true and correct copy of Velo Enterprise Co. Ltd.'s  
34 Second Supplemental Objections and Responses to Prokop Labs, LLC's Interrogatories Nos. 1-7,  
35 served on August 14, 2012.  
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38 15. Attached as Exhibit V is a true and correct copy of Velo Enterprise Co. Ltd.'s  
39 Third Supplemental Objections and Responses to Prokop Labs, LLC's Interrogatories Nos. 1-7,  
40 served on August 16, 2012.  
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3 DATED: August 20, 2012  
4

Respectfully submitted,

By: /s/ Kevin A. Zeck

Jerry A. Riedinger #25828

Kevin A. Zeck #41689

**Perkins Coie LLP**

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

Email: JRiedinger@perkinscoie.com

KZeck@perkinscoie.com

*Attorneys for Plaintiff PROPOKOP LABS, LLC,  
a Washington limited liability company*